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April 12, 2007

**VIA ECF**

Judge Joanna Seybert  
100 Federal Plaza  
Central Islip, NY 11722-9014

Re: Betty Dorce Exume, et al. v. Greyhound Lines, Inc.  
Our File No.: 818.34464  
Civ. 06 6540

Dear Judge Seybert:

This office represents the defendant Greyhound Lines, Inc. in the above matter. By way of this letter, we seek your guidance in effectuating the transfer of this matter on consent of the parties to the Southern District where four related actions are presently pending before Judge Leisure. If acceptable to this Court, the parties would be desirous of the Court to so-order a stipulation effectuating the transfer. Below, we have provided the Court with the relevant background of this litigation.

**BACKGROUND**

This case arises out of an August 28, 2006 bus accident that occurred in upstate New York (in Essex County) when a Greyhound bus, traveling to Montréal, Canada, went off the road. Five people were killed, including the Greyhound bus driver, and many of the passengers on the bus are claiming injuries. To date, in addition to this action (4 plaintiffs), four actions have been commenced in the Southern District of New York: Anderson v. Greyhound and Laidlaw, 06 Civ. 13371(1 plaintiff), Breton v. Greyhound, 06 Civ. 07110 (3 plaintiffs), Santiago v. Greyhound, 06 Civ. 07108 (4 plaintiffs) and Wang v. Greyhound, 06 Civ. 11382 (1 plaintiff). All of the Southern District cases are assigned to Judge Peter K. Leisure. This office represents Greyhound in the Southern District actions.

**This Action**

In this action Greyhound served its Rule 26 Initial Disclosures on February 16, 2007. The plaintiff's served their Automatic Disclosure on March 27, 2007 and also served Combined Discovery Demands at the same time -- although the parties have not yet held a Rule 26 (f) conference. An April 12, 2007 conference before Magistrate Judge Wall was adjourned without date in light of the parties desire to transfer this matter to the Southern District.

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**Southern District**

There has been little discovery in the Southern District actions other than Rule 26 Initial Disclosures. A Rule 26(f) conference has not been held nor is there a discovery schedule. Several weeks ago there was a conference before Judge Leisure. At that time Judge Leisure was made aware of this case and also advised of an ongoing investigation of the August 28, 2006 bus accident by the National Transportation Safety Board. Judge Leisure adjourned the Southern District actions until May 24, 2007 for a further conference.

We await the Court's response regarding the consensual transfer of this matter to the Southern District of New York and appreciate the Court's attention to this matter.

Very truly yours,



Kevin B. Pollak (KBP6098)

KBP/AZ/lf

cc: **VIA FACSIMILE (212) 805-7913**

Honorable Peter K. Leisure  
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Application GRANTED.  
 The Clerk of the Court  
 is ordered to transfer this  
 case to the Southern District  
 of New York.

